IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 27582 of 2004(H)

PETITIONER:

V.C.ABDUL KABEER,
VENKITTA HOUSE, VATTALLOOR P.O.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:
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1. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
MALAPPURAM.

2. THE DISTRICT COLLECTOR, MALAPPURAM.

3. THE TAHSILDAR (REVENUE RECOVERY),
PERINTHALMANNA.

ADDL. 4TH RESPONDENT IMPLEADED

4. REGIONAL PROVIDENT FUND COMMISSIONER, KOZHIKODE.

(IMPLEADED AS PER ORDER DT. 22.09.2004)

BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD
GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE DOCUMENT SHOWING THAT THE VEHICLE KL-10/G-4300 IS UNDER THE EMPLOYEES PROVIDENT FUND ORGANISATION.

EXT.P2: TRUE COPY OF THE REVENUE RECOVERY NOTICE DATED 31.08.2004.

EXT.P3: TRUE COPY OF THE REVENUE RECOVERY NOTICE DATED 31.08.2004.

EXT.P4: TRUE COPY OF THE JUDGMENT IN O.P.NO. 17176/2000 DATED 21.06.2000.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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W.P.(C) NO. 27582 OF 2004

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Dated this the 25th day of July, 2007.

JUDGMENT

The petitioner approached this Court aggrieved by the revenue recovery steps for realisation of dues to the Kerala Motor Transport Workers Welfare Fund. The learned counsel for the 1st respondent submits that only because the petitioner was out of station, the notice could not be served on him. Therefore, without expressing any opinion on the merits of the case, since I am of the view that the petitioner is to be given an opportunity to pursue the grievance, if any, before the appellate authority, the writ petition is disposed of as follows:

The petitioner will appear before the 1st respondent on 05.09.2005 on which date the 1st respondent shall furnish a copy of the Final Determination Order to him. If aggrieved, it will be open to the petitioner to pursue the matter before the appellate authority. In order to enable the petitioner to work out the relief as above, the interim order passed by this Court shall continue for a further period of six months.

KURIAN JOSEPH, JUDGE.

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